

BEFORE THE
VETERINARY MEDICAL BOARD
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. AV 2011 21

ROMEO S. VENERACION, AKA
ROMERO SANITA VENERACION
2180 Edinboro Avenue
Claremont, CA 91711

Veterinary Technician Registration No. 5042

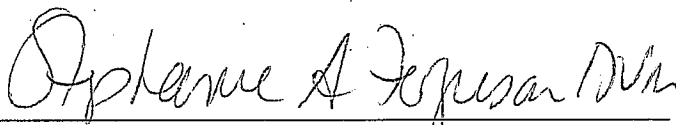
Respondent.

DECISION AND ORDER

The attached Stipulated Surrender of License and Order is hereby adopted by the Veterinary Medical Board, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on August 18, 2011.

IT IS SO ORDERED July 19, 2011.


Stephanie A. Ferguson, DVM, Board President
FOR THE VETERINARY MEDICAL BOARD
DEPARTMENT OF CONSUMER AFFAIRS

1 KAMALA D. HARRIS
Attorney General of California
2 KAREN B. CHAPPELLE
Supervising Deputy Attorney General
3 RANDY M. MAILMAN
Deputy Attorney General
4 State Bar No. 246134
300 So. Spring Street, Suite 1702
5 Los Angeles, CA 90013
Telephone: (213) 897-2442
6 Facsimile: (213) 897-2804
Attorneys for Complainant

7
8 **BEFORE THE**
VETERINARY MEDICAL BOARD
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. AV 2011 21

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12 ROMERO SANITA VENERACION
2180 Edinboro Avenue
13 Claremont, CA 91711
Veterinary Technician Registration No.
14 5042

**STIPULATED SURRENDER OF
LICENSE AND ORDER**

15 Respondent.

16 In the interest of a prompt and speedy resolution of this matter, consistent with the public
17 interest and the responsibility of the Veterinary Medical Board of the Department of Consumer
18 Affairs the parties hereby agree to the following Stipulated Surrender of License and Order which
19 will be submitted to the Board for approval and adoption as the final disposition of the
20 Accusation.

21 **PARTIES**

22 1. Susan M. Geranen ("Complainant") is the Executive Officer of the Veterinary
23 Medical Board. She brought this action solely in her official capacity and is represented in this
24 matter by Kamala D. Harris, Attorney General of the State of California, by Randy M. Mailman,
25 Deputy Attorney General.

26 2. Romeo S. Veneracion, aka Romero Sanita Veneracion is represented in this
27 proceeding by attorney David Buxbaum, whose address is: 414 Yale Ave Ste E
28 Claremont, California, 91711.

1 3. On or about October 31, 1997, the Veterinary Medical Board issued Veterinary
2 Technician Registration No. 5042 to Romeo S. Veneracion, aka Romero Sanita Veneracion
3 ("Respondent"). The Veterinary Technician Registration Number was in full force and effect at
4 all times relevant to the charges brought in Accusation No. AV 2011 21 and will expire on July
5 31, 2011, unless renewed.

6 JURISDICTION

7 4. Accusation No. AV 2011 21 was filed before the Veterinary Medical Board
8 ("Board"), Department of Consumer Affairs, and is currently pending against Respondent. The
9 Accusation and all other statutorily required documents were properly served on Respondent on
10 May 13, 2011. Respondent timely filed his Notice of Defense contesting the Accusation. A copy
11 of Accusation No. AV 2011 21 is attached as Exhibit A and incorporated by reference.

12 ADVISEMENT AND WAIVERS

13 5. Respondent has carefully read, fully discussed with counsel, and understands the
14 charges and allegations in Accusation No. AV 2011 21. Respondent also has carefully read, fully
15 discussed with counsel, and understands the effects of this Stipulated Surrender of License and
16 Order.

17 6. Respondent is fully aware of his legal rights in this matter, including the right to a
18 hearing on the charges and allegations in the Accusation; the right to be represented by counsel, at
19 his own expense; the right to confront and cross-examine the witnesses against him; the right to
20 present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel
21 the attendance of witnesses and the production of documents; the right to reconsideration and
22 court review of an adverse decision; and all other rights accorded by the California
23 Administrative Procedure Act and other applicable laws.

24 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
25 every right set forth above.

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1 13. In consideration of the foregoing admissions and stipulations, the parties agree that
2 the Board may, without further notice or formal proceeding, issue and enter the following Order:

3 ORDER

4 IT IS HEREBY ORDERED that Veterinary Technician Registration No. 5042, issued to
5 Respondent Romeo S. Veneracion, aka Romero Sanita Veneracion, is surrendered and accepted
6 by the Veterinary Medical Board.

7 14. The surrender of Respondent's Veterinary Technician Registration and the
8 acceptance of the surrendered license by the Board shall constitute the imposition of discipline
9 against Respondent. This stipulation constitutes a record of the discipline and shall become a part
10 of Respondent's license history with the Board.

11 15. Respondent shall lose all rights and privileges as a veterinary technician in California
12 as of the effective date of the Board's Decision and Order.

13 16. Respondent shall cause to be delivered to the Board his pocket license and, if one was
14 issued, his wall certificate on or before the effective date of the Decision and Order.

15 17. If Respondent ever files an application for licensure or a petition for reinstatement in
16 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must
17 comply with all the laws, regulations and procedures for reinstatement of a revoked license in
18 effect at the time the petition is filed, and all of the charges and allegations contained in
19 Accusation No. AV 2011 21 shall be deemed to be true, correct and admitted by Respondent
20 when the Board determines whether to grant or deny the petition.

21 18. If and when Respondent's license is reinstated, he shall pay to the Board costs
22 associated with its investigation and enforcement pursuant to Business and Professions Code
23 section 125.3 in the amount of \$882.50. Respondent shall be permitted to pay these costs in a
24 payment plan approved by the Board. Nothing in this provision shall be construed to prohibit the
25 Board from reducing the amount of cost recovery upon reinstatement of the license

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ACCEPTANCE

I have carefully read the above Stipulated Surrender of License and Order and have fully discussed it with my attorney, David Buxbaum. I understand the stipulation and the effect it will have on my Veterinary Technician Registration. I enter into this Stipulated Surrender of License and Order voluntarily, knowingly, and intelligently, and agree to be bound by the Decision and Order of the Veterinary Medical Board.

DATED:

6/24/2011

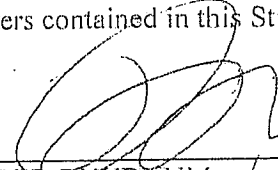


ROMEO S. VENERACION, AKA ROMERO
SANITA VENERACION
Respondent

I have read and fully discussed with Respondent Romeo S. Veneracion, aka Romero Sanita Veneracion the terms and conditions and other matters contained in this Stipulated Surrender of License and Order. I approve its form and content.

DATED:

6/24/2011


DAVID BUXBAUM
Attorney for Respondent

Charles W. Buxbaum & Co. LLP

ENDORSEMENT

The foregoing Stipulated Surrender of License and Order is hereby respectfully submitted for consideration by the Veterinary Medical Board of the Department of Consumer Affairs.

DATED:

6/27/2011

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
KAREN B. CHAPPELLE
Supervising Deputy Attorney General



RANDY M. MAILMAN
Deputy Attorney General
Attorneys for Complainant

Exhibit A

Accusation No. AV 2011 21

1 KAMALA D. HARRIS
Attorney General of California
2 KAREN B. CHAPPELLE
Supervising Deputy Attorney General
3 RANDY M. MAILMAN
Deputy Attorney General
4 State Bar No. 246134
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12 **ROMERO SANITA VENERACION**
2180 Edinboro Avenue
13 Claremont, CA 91711
Veterinary Technician Registration No.
14 5042

A C C U S A T I O N

15 Respondent.

16
17 Complainant alleges:

18 **PARTIES**

19 1. Susan M. Geranen ("Complainant") brings this Accusation solely in her official
20 capacity as the Executive Officer of the Veterinary Medical Board, Department of Consumer
21 Affairs.

22 2. On or about October 31, 1997, the Veterinary Medical Board issued Veterinary
23 Technician Registration Number 5042 to Romeo S. Veneracion, aka Romero Sanita Veneracion
24 ("Respondent"). The Veterinary Technician Registration Number was in full force and effect at
25 all times relevant to the charges brought herein and will expire on July 31, 2011, unless renewed.

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JURISDICTION

3. This Accusation is brought before the Veterinary Medical Board ("Board"), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code ("Code") unless otherwise indicated.

4. Section 490 of the Code states, "A board may suspend or revoke a license on the ground that the licensee has been convicted of a crime, if the crime is substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued. A conviction within the meaning of this section means a plea or verdict of guilty or a conviction following a plea of nolo contendere. Any action which a board is permitted to take following the establishment of a conviction may be taken when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal, or when an order granting probation is made suspending the imposition of sentence, irrespective of a subsequent order under the provisions of Section 1203.4 of the Penal Code."

6. Section 4883 of the Code states, in pertinent part:

"The board may deny, revoke, or suspend a license or registration or assess a fine as provided in Section 4875 for any of the following:

(a) Conviction of a crime substantially related to the qualifications, functions, or duties of veterinary medicine, surgery, or dentistry, in which case the record of the conviction shall be conclusive evidence.

(g) Unprofessional conduct, that includes, but is not limited to, the following:..."

7. Section 4885 of the Code states, "A plea or verdict of guilty or a conviction following a plea of nolo contendere made to a charge of a felony or of any offense related to the practice of veterinary medicine or the practice of a veterinary technician is deemed to be a conviction within the meaning of this article. The board may order the license or registration to be suspended or revoked, or assess a fine as provided in Section 4883 or may decline to issue a license or registration, when the time for appeal has elapsed, or the judgment of conviction has been affirmed on appeal or when an order granting probation is made suspending the imposition of

1 sentence, irrespective of a subsequent order under the provisions of Section 1203.4, 1210.1, or
2 3063.1 of the Penal Code allowing that person to withdraw his or her plea of guilty and to enter a
3 plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation, information,
4 or indictment.”

5 REGULATORY PROVISIONS

6 8. California Code of Regulations, title 16, section 2040, states, in pertinent part:

7 “For the purposes of denial, suspension, or revocation of a license pursuant to
8 Division 1.5 (commencing with Section 475) of the code, a crime or act shall be considered to be
9 substantially related to the qualifications, functions or duties of a person holding a license under
10 Chapter 11 of Division 2 of the code if to a substantial degree it evidences present or potential
11 unfitness of a person holding a license to perform the functions authorized by his or her license in
12 a manner consistent with the public health, safety or welfare. . . .”

13 FIRST CAUSE FOR DISCIPLINE

14 (Criminal Conviction)

15 9. Respondent is subject to disciplinary action under sections 490 and 4883 (a) of the
16 Code, as defined in California Code of Regulations, title 16, section 2040, in that Respondent was
17 convicted of a crime substantially related to the qualifications, functions, or duties of a
18 veterinarian as follows:

19 10. On or about October 16, 2007, in the criminal matter entitled *People vs. Romero*
20 *Sanita Veneracion* (Super. Ct. San Bernardino, 2007 No. FWV 700990), Respondent was
21 convicted of violating Health and Safety Code section 11358, cultivation of marijuana, a felony.
22 Respondent was placed on formal supervised probation for a period of three years, was ordered to
23 serve 120 days in jail, and was ordered to comply with all directives of his probation officer. The
24 basis for the conviction is that on or about May 10, 2007, deputies with the San Bernardino
25 Sheriff's Office served a search warrant at Respondent's residence. Inside of Respondent's
26 residence, deputies found and extensive indoor marijuana cultivation operation, along with
27 evidence that Respondent had been using an electrical bypass system to divert electricity from a
28 neighboring electrical source.

1 SECOND CAUSE FOR DISCIPLINE

2 (Unprofessional Conduct)

3 11. Respondent is subject to disciplinary action under section 4883 (g) of the Code for
4 unprofessional conduct in that Respondent committed unlawfully cultivated marijuana as more
5 fully described in paragraph 10, above, and herein incorporated by reference.

6 PRAVER

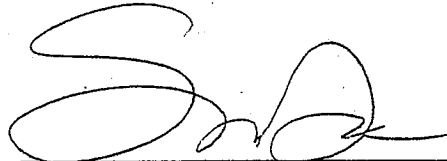
7 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
8 and that following the hearing, the Veterinary Medical Board issue a decision:

9 1. Revoking or suspending Veterinary Technician Registration Number 5042, issued to
10 Romeo S. Veneracion, aka Romero Sanita Veneracion;

11 2. Ordering Romeo S. Veneracion, aka Romero Sanita Veneracion to pay the Veterinary
12 Medical Board the reasonable costs of the investigation and enforcement of this case, pursuant to
13 Business and Professions Code section 125.3;

14 3. Taking such other and further action as deemed necessary and proper.

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16
17 DATED: 4/21/11



18 SUSAN M. GERANEN
19 Executive Officer
20 Veterinary Medical Board
21 Department of Consumer Affairs
22 State of California
23 Complainant

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